



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
June 7, 2016**

The Planning Board met on Tuesday, June 7, 2016 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Randi Holland; Terence Boland; David Shedd; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation and Carolyn Cronin, Assistant Planner were also present.

Minutes

The Planning Board reviewed minutes from March 21, 2016 and May 3, 2016.

Upon motion duly made and seconded it was

VOTED: To approve the March 21, 2016 and May 3, 2016 minutes as written.

Form A

There were no ANR plans to review

Matters of Appointment

Continued Public Hearing - Definitive Subdivision #16-02 and Stormwater Management Permit #16-02 for Nelson Acres - Map 57 Parcel 54E- James Brothers & George Brothers, Applicant

A request to extend the action deadline and continue the public hearing was received.

MATERIALS CONSIDERED:

PLANS "Ava Lane, Wilmington, MA" dated January 19, 2016
DRAINAGE REPORT dated February 4, 2016
ELEVATIONS dated December 31, 2015
LETTER from Richard W. Stuart dated February 23, 2016
COMMENTS from DPW dated March 7, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to July 29, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for Nelson Acres Definitive Subdivision and Stormwater Management Permit to July 12, 2016 at 7:30 p.m. in Room 9 of the Town Hall.

Continued Public Hearing - Site Plan Review #16-01 and Stormwater Management Permit #16-03 for 196 Ballardvale Street - Map R2 Parcel 7E - Paul Kneeland for Mapvale LLC, Applicant

PRESENT IN INTEREST – Ryan Bianchetto, Allen & Major

MATERIALS CONSIDERED:

PLANS "Ballardvale Street" dated March 21, 2014 and last revised February 4, 2016 and last revised May 24, 2016

EXTERIOR ELEVATIONS "196 Ballardvale St" dated March 31, 2016

TRAFFIC IMPACT AND ACCESS STUDY dated January 25, 2016 – draft

DRAINAGE REPORT dated February 10, 2016 last revised April 20, 2016

LETTER from Ryan Bianchetto dated February 11, 2016 and two letters dated April 20, 2016

TRANSMITTAL from Ryan Bianchetto dated May 27, 2016

COMMENTS from DPW dated March 7, 2016 and May 3, 2016

R. Bianchetto told the Board there were six minor changes made and revised plans were submitted.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #16-01 and Stormwater Management Permit #16-03.

Public Hearing – Sign Special Permit #16-02 for 210 Ballardvale Street – Map R2 Parcel 21 Gary McCoy, Poyant Signs Inc., for Target Corporation

PRESENT IN INTEREST – Gary McCoy, Poyant Signs, Inc.

MATERIALS CONSIDERED:

PLANS "Ballardvale Street" dated March 21, 2014 and last revised February 4, 2016 and last revised April 20, 2016

EXTERIOR ELEVATIONS "196 Ballardvale St" dated March 31, 2016

TRAFFIC IMPACT AND ACCESS STUDY dated January 25, 2016 – draft

DRAINAGE REPORT dated February 10, 2016 last revised April 20, 2016

LETTER from Ryan Bianchetto dated February 11, 2016 and two letters dated April 20, 2016

COMMENTS from DPW dated March 7, 2016 and May 3, 2016

G. McCoy passed copies of the sign plan to the Board members. He told the Board that CVS acquired all pharmacies in Target stores so this change is being done to all the Target stores. G. McCoy told the Board that the replacement sign will be the same size as the existing sign.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Sign Special Permit #16-02 for 210 Ballardvale Street.

Continued Public Hearing – 81G Application #16-02 and Stormwater Management Permit #16-04 - 21 Pomfret Road – Map 84 Parcel 50 – Clifton and Elena Hall, Applicants

PRESENT IN INTEREST – Luke Roy, LJR Engineering, Inc.

MATERIALS CONSIDERED:

PLANS "Roadway Improvement Plan, Pomfret Road, Wilmington, Massachusetts" dated March 14, 2016 and last revised May 24, 2016

DRAINAGE CALCULATIONS dated March 2016

REVIEW LETTER from the Planning Director dated April 26, 2016

COMMENTS from DPW dated May 2, 2016

L. Roy told the Board he is working with M. Welch and filed with the Zoning Board of Appeals and will meet with them tomorrow night. L. Roy told the Board the addresses for both the home under construction at 4 Bernstein and the proposed on Pomfret will be assigned addresses by the Assessor's Office. He said the driveway has been shifted 15' from the hydrant and it was changed on the plan. L. Roy said the grass infiltration was set back 10' back from the property line. He said the applicant is proposing a combination of bituminous Cape Cod berm as well as vertical granite curbing in various areas that are prone to damage from snow plowing. He said the applicant is proposing to expand the paving through the entire intersection of Bernstein Road. L. Roy showed the Board the revised plan and described the project saying the Town's Engineering Department inspected the gravel road and said it is appropriate. He said the driveway for the abutter has been relocated through coordination with the property owner as suggested in the Planning Department letter dated April 26th and it is system is located on the other side of the abutting property and meets appropriate setbacks from the drainage system. L. Roy said the applicant is proposing stone filters in stormwater areas. He said as far as the Operation and Maintenance Plan, new owner will be responsible for the roadway and drainage maintenance but the applicant is open to whatever the Town suggests. He told the Board monuments were added to the property and iron posts will be set.

V. Gingrich said the only comment from Engineering was with respect to the the maintenance and whether it should be solely on one owner. She confirmed with L. Roy that the swales would have to be mowed as part of the maintenance and L. Roy said over a long period of time there could be sediment buildup as well, but it is basic maintenance.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to July 29, 2016 for 81G Application #16-02 and Stormwater Management Permit #16-04 for 21 Pomfret Road.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing and issue a decision at the next Planning Board meeting.

Board of Appeals

At its meeting on Tuesday, June 7, 2016, the Planning Board voted to recommend as follows:

Case 16-16: 21 Pomfret Road

As the project is still under review, the Planning Board has issued no comment at this time.

The Planning Board closed the public hearing on the 81G Roadway Improvement Plan and Stormwater Permit and will review a Draft Decision at the July 12 Planning Board meeting.

Case 17-16: 18 Brentwood Ave.

The Planning Board defers to the Board of Appeals on this case.

Old Business

There was no Old Business to discuss.

New Business

Decision for Site Plan Review #16-01 and Stormwater Management Permit #16-03 for 196 Ballardvale Street - Map R2 Parcel 7E - Paul Kneeland for Mapvale LLC, Applicant

PRESENT IN INTEREST – Ryan Bianchetto, Allen & Major

MATERIALS CONSIDERED:

PLANS "Ballardvale Street" dated March 21, 2014 and last revised February 4, 2016 and last revised May 24, 2016

EXTERIOR ELEVATIONS "196 Ballardvale St" dated March 31, 2016

TRAFFIC IMPACT AND ACCESS STUDY dated January 25, 2016 – draft

DRAINAGE REPORT dated February 10, 2016 last revised April 20, 2016

LETTER from Ryan Bianchetto dated February 11, 2016 and two letters dated April 20, 2016

TRANSMITTAL from Ryan Bianchetto dated May 27, 2016

COMMENTS from DPW dated March 7, 2016 and May 3, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review Application #16-01 and Stormwater Management Permit #16-03 for 196 Ballardvale Street as shown on plan entitled: "Site Development Plans for New Retail Parcel, 196 Ballardvale Street, Wilmington, MA" prepared by Timothy J. Williams, P.E, dated February 10, 2016 and last revised May 24, 2016. Said property is located at 196 Ballardvale Street, Wilmington, MA 01887 and shown on Assessor's Map R2 Parcel 7E. The decision is as follows:

"We, the Wilmington Planning Board, as requested by Mapvale LLC under the provisions of Section 6.5 of the Zoning By-Laws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 196 Ballardvale Street (Assessors Map R2, Parcel 7E), as shown on the plan set

entitled: "Site Development Plans for New Retail Parcel, 196 Ballardvale Street, Wilmington, MA" prepared by Timothy J. Williams, P. E. of Allen & Major Associates, Inc., dated February 10, 2016 and last revised May 24, 2016, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

The following materials in addition to the Site Plan were submitted into the public record:

	<u>Date submitted</u>	<u>Description</u>
1.	February 12, 2016	Drainage Report, Retail Parcel, 196 Ballardvale Street, Wilmington, MA. Prepared by Allen & Major Associates, Inc., dated February 10, 2016 revised through April 20, 2016.
2.	April 14, 2016	Exterior Elevations, 196 Ballardvale Street, Wilmington, MA. Prepared by Colin Smith Architecture Inc., dated March 31, 2016.
3.	April 14, 2016	Traffic Impact and Access Study, 196 Ballardvale Street Retail Building, Wilmington, MA. Prepared by Ron Muller & Associates, dated January 25, 2016.

FINDINGS:

1. The Project site is shown on Map R2 Parcel 7E on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning By-Laws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning By-Laws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. Signage, as shown on the Architectural Elevations, will require a Special Permit from the Planning Board.
6. The Project requires Special Permits from the Board of Appeals for Retail and Restaurant Use and for the Groundwater Protection District (Section 6.6.7.7. of the Wilmington Zoning Bylaw).

CONDITIONS:

The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

GENERAL:

1. The Project shall be constructed and operated in accordance with the Site Plan.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.

3. If no substantial construction has commenced within two (2) years of a site plan approval, the approval shall lapse and a new application, fees and public hearing will be required, provided that if there is an appeal to the Board of Appeals and/or to the courts, the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
5. Signage shall conform to zoning unless a Special Permit has been granted by the Planning Board as authorized in Section 6.3.2 of the Wilmington Zoning Bylaw.
6. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the applicant must submit revised plans to the Planning Board for approval.
7. Site Plan approval does not include approval of any subdivision of land. Should the parcel be subdivided, a plan that meets the zoning requirements shall be submitted to the Planning Board.

PRIOR TO ENDORSEMENT OF THE SITE PLAN:

8. Following review by the Wilmington Conservation Commission, the applicant must revise the plans to show all changes required by the Commission.
9. Plans shall be revised to include all conditions of Site Plan approval.
10. The Site Plan shall be revised to include an edge treatment (i.e. curbed landscape island) along the north side of the shared main drive aisle within the proposed Access Easement on 200 Ballardvale Street.

PRIOR TO CONSTRUCTION:

11. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES Construction General Permit and corresponding Stormwater Pollution Prevention Plan. A copy of the NPDES Stormwater Pollution Prevention Plan shall be kept on-site during construction activities and a copy submitted to the Department of Planning & Conservation.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

12. The Applicant shall submit final architectural plans to the Department of Planning and Conservation for review prior to the issuance of a building permit.
13. Building plans shall be reviewed and approved by the Wilmington Fire Department.
14. As shown in the Traffic Impact and Access Study, the Project will impact levels of service (LOS) at the Ballardvale Office Park entrance. In lieu of physical transportation improvements, the applicant has agreed to contribute \$5,000 toward a study of pedestrian and vehicular circulation for the southern portion of Ballardvale Street.
15. The Applicant shall submit water and sewer infrastructure analysis reports as required by the Department of Public Works (DPW).

PRIOR TO THE ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:

16. Final As-Built Plans in form(s) and format(s) acceptable to the Town shall be submitted to the Engineering Director and Director of Planning and Conservation.
17. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
18. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy. In the event that winter season conditions

prohibit final landscaping and/or finish paving course from being installed prior to tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Planning Board and Town Engineering Director, covering the cost of completion. This will be considered on a case by case basis. The Applicant must have received all other required Department sign off on Occupancy prior to eligibility.

POST OCCUPANCY:

19. Applicant shall maintain or replace landscaping, fencing and lighting as indicated in the Site Plan for the duration of the use. The Applicant shall use best management practices to maintain the required landscaping in presentable and healthy condition.
20. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
21. The Applicant shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Applicant shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long term pollution prevention plan to the Department of Planning & Conservation.
22. Snow in excess of the areas provided for snow storage on the Site is to be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
23. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Owner's responsibility.

**Decision for Sign Special Permit #16-02 for 210 Ballardvale Street – Map R2 Parcel 21
Gary McCoy, Poyant Signs Inc., Target Corp., Applicant**

PRESENT IN INTEREST – Gary McCoy

MATERIALS CONSIDERED:

PLANS "Site Plan for Asset Redevelopment at 8 Dunton Road, Map 31 Lot 40, Wilmington, Massachusetts" dated December 30, 2015

DRAINAGE CALCULATIONS dated January 28, 2016

REVIEW LETTER from the Planning Director dated April 1, 2016

COMMENTS from DPW dated March 31, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Sign Special Permit #16-02, plan entitled, "CVS/pharmacy, Store #2729, 210 Ballardvale Street, Wilmington, MA", dated February 3, 2016; created by Poyant Signs, Inc., 125 Samuel Barnett Boulevard, New Bedford, MA, 02745 and filed with the Planning Board on April 21, 2016. Said property is located at 210 Ballardvale Street and shown on Assessor's Map R2 Parcel 21.

The public hearing was opened on June 7, 2016 and closed on June 7, 2016. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.2 of the Zoning By-Laws of the Town of Wilmington. Approval is subject to the following Findings and Conditions:

MATERIALS:

The following materials in addition to the Sign Specifications were submitted into the public record:

	<u>Date submitted</u>	<u>Description</u>
1.	None	None

FINDINGS:

1. The signage to be erected is on a parcel on Map R2 Parcel 21 on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the replacement of the "Pharmacy" wall sign with a "CVS Pharmacy" wall sign should be permitted in the public interest.
3. The sign proposal as set forth in the Special Permit and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.3 of the Wilmington Zoning By-Laws and the Board's Special Permit Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

CONDITIONS:

The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

General:

1. The Project shall be constructed and operated in accordance with the Special Permit.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. If the signs have not been erected within two (2) years of a special permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision has been filed in of the office of the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.
4. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review or other Special Permits.
5. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all tenants. The permit expires upon transfer of the property.
7. Bylaw Exceptions: (Section 6.3.6.1.) "Granted" one (1) 23 3/8" x 18'-3 15/16" wall sign of 35.70 sf to replace the existing 24" x 17' 10" wall sign of 35.70 sf where overall sign allowance has been exceeded.
8. Final As-Built (Signage) Plans in form(s) and format(s) acceptable to the Town Building Department and shall be submitted to the Inspector of Buildings and the Director of Planning and Conservation.

9. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

**Request to waive Site Plan Review for 377 Ballardvale Street – Map R3 Parcel 50B
Jamie McManus for Howland Development, Applicant**

A request to waive Site Plan Review was received.

PRESENT IN INTEREST – Jamie McManus, Howland Development
William Bergeron, Hayse Engineering

MATERIALS CONSIDERED:

PLAN “Proposed Parking and Loading Area Modifications, Wilmington, Mass.” dated June 3, 2016

LETTER from Jamie McManus dated May 3, 2016

W. Bergeron told the Board that the applicant will be constructing 1,104 sq.ft. of impervious pavement. He said the parking lot is being reconfigured with striping. The applicant will be adding four 12’ wide loading docks, adding a 1,104 s.f. landscaped area and restriping the parking lot. W. Bergeron showed the board the plan. He said all site plan requirements have been met. He told the Board he met with V. Gingrich prior to his submission and said this project will require a Request for Determination of Applicability from the Conservation Commission. He said the applicant intends to be on the Conservation Commission’s July agenda. W. Bergeron told the Board the lawn area will be excavated for the new loading doors and there will be erosion control since the parking area tips towards the catch basins. The existing basins do not have oil and gas traps so traps will be installed.

V. Gingrich told the Board if the waiver is granted, the applicant will have to file for a Simple Stormwater Management Permit.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for 377 Ballardvale Street. The project involves paving an area of 1,104 s.f., adding four 12’ wide loading docks, adding a 1,104 s.f. landscaped area and restriping the parking lot in accordance with the plan entitled: “Proposed Parking and Loading Area, Modifications, Wilmington, Mass” dated June 3, 2016.

**Request to waive Site Plan Review for 65 Industrial Way – Map 56 Parcel 122
Francis Kelley, SAI for AT&T Mobility, LLC, Applicant**

MATERIALS CONSIDERED:

PLAN “AT&T, Site Number: MA3076, Site Name: South Wilmington (MA0085), Project: LTE 3C 2016 Upgrade” dated March 15, 2016

LETTER from Francis Kelley, dated May 30, 2016

V. Gingrich told the Board the applicant is swapping out equipment.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, LLC located at 65 Industrial Way. The proposal is to replace three (3) antennas, install a new radio head behind each of the new antennas, and install one new surge arrestor. A power supply in the existing equipment room will be replaced and two new DC power cables and one fiber line will also be added.

Planning Director's Comments

V. Gingrich told the Board that 45 Industrial Way is nearing completion and looking for occupancy, which triggers the payment of the traffic mitigation funds (\$500,000) which they committed to. She said Whispering Pines is almost complete and will be looking for occupancy soon. V. Gingrich invited the Planning Board to join her at the Facility Master Plan meeting June 29th at the Middle School. She said they are looking at many options. The Facility Master Plan is discussing the moving of the Roman House. They will be discussing pros and cons of a number of ideas.

Election of Officers - Chair and Clerk

Upon motion duly made and seconded, it was unanimously

VOTED: To elect Michael Sorrentino as Chair and Terence Boland Clerk

There being no more business to come before the Board, it was unanimously

VOTED: To adjourn the meeting at 8.57 p.m.

NEXT MEETING is July 12, 2016

Respectfully submitted,



Cheryl Licciardi
Recording Clerk